

Notice of Allowability

Application No.

10/761,404

Examiner

Jeffrey A. Smith

Applicant(s)

YAMASAKI, SHINYA

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Examiner's Amendment of 3/6/06.
2. ☒ The allowed claim(s) is/are 7-11, 13 and 14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

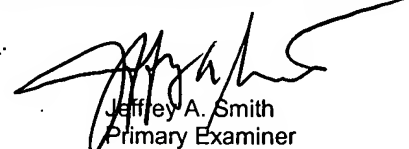
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/22/04; 12/13/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Jeffrey A. Smith
Primary Examiner
Art Unit: 3625

Art Unit: 3625

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Allison Olenginski on March 6, 2006.

The application has been amended as follows:

In the Claims

The claims have been amended as follows:

Claims 1-6 (Cancelled)

7. (Currently Amended) A remote negotiation apparatus which allows, before a sale of a vehicle, a first operation terminal used by a salesman of the vehicle and a second operation terminal used by a customer to bi-directionally

Art Unit: 3625

~~communication~~ communicate and remotely negotiate in real-time through a communication environment, the remote negotiation apparatus comprising:

a control unit; and

computer-executable instructions stored in computer-readable memory which when executed by the control unit:

~~a control unit which display~~ cause a display of a predetermined form corresponding to a commercial transaction document related to the vehicle on the first operation terminal, cause a request ~~request~~ request of the salesman to input information content necessary for preparing[[,]] the commercial transaction document, and cause ~~stores~~ storage of the input information content in a storage device, and which ~~displays,~~ cause, on the basis of the information content stored in the storage device and updated in real-time, a display of ~~on the second operation terminal~~[[,]] a commercial transaction document on the second operation terminal having the same information contents ~~content~~ as the commercial transaction document prepared by the salesman [[,]] ~~on the basis of the stored information in the storage device and updated in real-time,~~

wherein the commercial transaction document is at least one of an estimate, a contract, and a purchase order,

Art Unit: 3625

wherein ~~said control unit~~ the computer-executable
instructions, when executed by the control unit, further cause a
requests request for alternative selection between a temporary
storage state and a final storage state as a storage state in
storing the information ~~contents~~ content of the commercial
transaction document in the storage means device, and when the
selected storage state is the temporary storage state, cause a
condition in the apparatus whereby a change of the information
~~contents~~ content of the commercial transaction document by the
customer is permitted, and the commercial transaction document
is updated in real-time on the basis of the changed information
~~contents~~ content, and when the selected storage state is the
final storage state, cause a condition in the apparatus whereby
the a change of the information contents content of the
commercial transaction document by the customer is prohibited,
and

wherein ~~even when the selected storage state is the~~
~~temporary storage state~~ ~~[[,]]~~ ~~said control unit~~ the computer-
executable instructions, when executed by the control unit,
cause a condition in the apparatus which prohibits, even when
the selected storage state is the temporary storage state, the a
change of the information contents content of the commercial
transaction document when a degree of the change of the

Art Unit: 3625

information ~~contents~~ content of the commercial transaction document by the customer exceeds a predetermined range.

8. (Currently Amended) The apparatus according to claim 7, wherein when the selected storage state is the temporary storage state[[,]] and the customer completes ~~the~~ a change of the information ~~contents~~ content of the commercial transaction document ~~by the~~, the salesman is notified that the customer has completed the change of the information ~~contents~~ content of the commercial transaction document.

9. (Currently Amended) The apparatus according to claim 7, wherein when the selected storage state is the temporary storage state, and an approval operation for the information ~~contents~~ content of the commercial transaction document in the temporary storage state is executed by the customer, said control unit executes to cause a condition in the apparatus which changes the storage state to the final storage state.

10. (Currently Amended) The apparatus according to claim 7[[,]] ~~wherein said control unit~~ further comprising:
computer-executable instructions stored in computer-readable memory which when executed by the control unit:

Art Unit: 3625

~~receives~~ facilitate receipt of an instruction, from the customer, for designating a third party who is permitted to browse the commercial transaction document having the same information contents content as ~~these that~~ of the commercial transaction document that the customer ~~can~~ is permitted to browse,

~~provides~~ cause the control unit to provide, to the designated third party, information content related to the commercial transaction document having the same information contents content as ~~these that~~ of the commercial transaction document ~~by the third party~~ provided to the customer, and

cause a condition in the apparatus which prohibits ~~the~~ a change of the information contents content of the commercial transaction document by the designated third party, even when the selected storage state is the temporary storage state.

11. (Currently Amended) The apparatus according to claim 7, wherein the information content of the commercial transaction document specifies a providing price of the vehicle, and when the selected storage state is the temporary storage state, said control unit executes to cause a condition in the apparatus which permits a change, by the salesman, of a the providing

Art Unit: 3625

price of the vehicle ~~specified by the commercial transaction document.~~

12. (Cancelled)

13. (Currently Amended) A remote negotiation method of allowing, before a sale of a vehicle, a first operation terminal used by a salesman of the vehicle and a second operation terminal used by a customer to bi-directionally communicate and remotely negotiate in real-time through a communication environment, the remote negotiation method comprising:

displaying a predetermined form corresponding to a commercial transaction document related to the vehicle on the first operation terminal;

requesting the salesman to input information content necessary for preparing the commercial transaction document;

storing the input information content in a storage device;

receiving a commercial transaction document browsing request from the customer; ~~and~~

upon receiving the browsing request from the customer, displaying on the basis of the information content stored in the storage device and updated in real-time on the second operation terminal, a commercial transaction document having the same

Art Unit: 3625

information contents content as the commercial transaction document prepared by the salesman ~~on the basis of the information stored in the storage device and updating the commercial transaction document in real time; and~~

requesting alternative selection between a temporary storage state and a final storage state as a storage state in storing the information ~~contents~~ content of the commercial transaction document in the storage means device, and when the selected storage state is the temporary storage state, permitting a change of the information contents content of the commercial transaction document by the customer ~~is permitted~~, and updating the commercial transaction document ~~is updated~~ in real-time on the basis of the changed information contents content, and when the selected storage state is the final storage state, prohibiting ~~the~~ a change of the information contents content of the commercial transaction document by the customer ~~is prohibited~~,

wherein the commercial transaction document is at least one of an estimate, a contract, or a purchase order[[,]]; and

prohibiting, ~~wherein~~ even when the selected storage state is the temporary storage state, ~~the~~ a change of the information contents content of the commercial transaction document is prohibited by the customer when a degree of the change of the

Art Unit: 3625

information contents content of the commercial transaction document ~~by the customer~~ exceeds a predetermined range.

14. (Currently Amended) ~~A program causing a computer to execute a remote negotiation method of claim 13~~ Computer-executable instructions stored in computer-readable media which, when executed by a computer, cause the computer to conduct a remote negotiation method of allowing, before a sale of a vehicle, a first operation terminal used by a salesman of the vehicle and a second operation terminal used by a customer to bi-directionally communicate and remotely negotiate in real-time through a communication environment, the remote negotiation method comprising:

displaying a predetermined form corresponding to a commercial transaction document related to the vehicle on the first operation terminal;

requesting the salesman to input information content necessary for preparing the commercial transaction document;

storing the input information content in a storage device;

receiving a commercial transaction document browsing request from the customer;

upon receiving the browsing request from the customer, displaying on the basis of the information content stored in the

Art Unit: 3625

storage device and updated in real-time on the second operation terminal, a commercial transaction document having the same information content as the commercial transaction document prepared by the salesman;

requesting alternative selection between a temporary storage state and a final storage state as a storage state in storing the information content of the commercial transaction document in the storage device, and when the selected storage state is the temporary storage state, permitting a change of the information content of the commercial transaction document by the customer, and updating the commercial transaction document in real-time on the basis of the changed information content, and when the selected storage state is the final storage state, prohibiting a change of the information content of the commercial transaction document by the customer,

wherein the commercial transaction document is at least one of an estimate, a contract, or a purchase order; and

prohibiting, even when the selected storage state is the temporary storage state, a change of the information content of the commercial transaction document by the customer when a degree of the change of the information content of the commercial transaction document exceeds a predetermined range.

Art Unit: 3625

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The prior art of record neither anticipates nor fairly and reasonably teaches a remote negotiation method of allowing, before a sale of a vehicle, a first operation terminal used by a salesman of the vehicle and a second operation terminal used by a customer to bi-directionally communicate and remotely negotiate in real-time through a communication environment, the remote negotiation method comprising, *inter alia*, the step of prohibiting, even when the selected storage state is the temporary storage state, a change of the information content of the commercial transaction document by the customer when a degree of the change of the information content of the commercial transaction document exceeds a predetermined range.

The most remarkable prior art of record is to Chaves (US 2001/0044769). Although Chaves '769 discloses a similar remote negotiation apparatus as discussed in the previous Office action, Chaves does not disclose or reasonably teach a step of prohibiting, even when the selected storage state is the

Art Unit: 3625

temporary storage state, a change of the information content of the commercial transaction document by the customer when a degree of the change of the information content of the commercial transaction document exceeds a predetermined range.

It is noted that Chaves '769 discloses what may be considered as a similar step in which a customer is prohibited from entering a bid if the bid does not exceed the highest price previously offered (or current bid) for a vehicle (par 0276). However, such disclosure does not amount to a teaching that the customer in Chaves is prohibited from entering a bid when a degree of change (or difference) between the bid and the highest price previously offered exceeds some predetermined range. Since the goal in Chaves is would be to receive the highest bid for a vehicle, Chaves would not be interested in limiting a degree of change between a customer's bid and the current highest bid, but rather would be only interested in establishing a current minimum acceptable bid threshold and from there, maximizing a degree of change between a customer's bid and the highest price previously offered (or current bid).

Art Unit: 3625

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

EP 1,443,443 A2 is a remote negotiation application by the instant inventor.

Rugullies, Erica: "Showcase Your Products Online", e-Business Advisor, v17, i8, p16, Sept. 1999 reports on different forms of online negotiation.

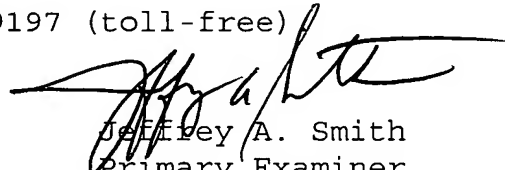
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Smith whose telephone number is (571) 272-6763. The examiner can normally be reached on M-F 6:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (571) 272-7159. The fax phone number for the

Art Unit: 3625

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)



Jeffrey A. Smith
Primary Examiner
Art Unit 3625

jas